

AMENDED IN SENATE JUNE 29, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 1243**

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**Introduced by Assembly Member Bonnie Lowenthal**

February 27, 2009

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An act to add and repeal Section 34503.5 of the Vehicle Code, relating to vehicles.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1243, as amended, Bonnie Lowenthal. ~~South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee Strategic Area Freeway Enforcement Task Force.~~

Existing law requires the Department of the California Highway Patrol to adopt reasonable rules and regulations that, in the judgment of the department, are designed to promote the safe operation of specified commercial vehicles, regarding, among other things, inspection and maintenance of vehicles and to adopt procedures for the enforcement of these rules and regulations.

This bill would, until January 1, 2012, establish the ~~South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee Strategic Area Freeway Enforcement Task Force~~ in the Business, Transportation and Housing Agency to develop a work program that will optimize the effectiveness and efficiencies of the commercial vehicle enforcement network in ~~South East Southeast~~ Los Angeles County through a multiagency collaborative effort focused on

addressing ongoing commercial vehicle enforcement issues and to recognize the potential benefits from specified technologies.

The bill would require the ~~committee~~ *task force* to report annually, on or before December 31 of each year, to the Governor, the Business, Transportation and Housing Agency, and the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on the progress made towards implementation of the recommendations developed to improve commercial vehicle enforcement in ~~South East~~ *Southeast* Los Angeles County pursuant to a specified list of 12 objectives, that include, among other things, review of Vehicle Dimension-in-Motion (VDIM) and Automated Vehicle Identification (AVI) devices as a legal enforcement tool.

The bill would require that the ~~committee~~ *task force* consist of ~~3~~ 4 specified members, that the members of the ~~committee~~ *task force* serve without compensation, and that no state funds be used to compensate the members for expenses incurred in the performance of their official duties. The bill would also provide that the ~~committee~~ *task force* would not be required to implement the provisions of the bill except to the extent that nonstate funds are available for that purpose.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 34503.5 is added to the Vehicle Code,  
2 to read:  
3 34503.5. (a) There is hereby established in the Business,  
4 ~~Transportation and Housing Agency the South East Los Angeles~~  
5 ~~County Commercial Vehicle Network Development and Advisory~~  
6 ~~Committee, which shall be convened on or before April 1, 2010.~~  
7 *Transportation and Housing Agency the Strategic Area Freeway*  
8 *Enforcement Task Force, which shall be convened on or before*  
9 *April 1, 2010.* The goal of the ~~committee~~ *task force* is to develop  
10 a work program that will optimize the effectiveness and efficiencies  
11 of the commercial vehicle enforcement network in ~~South East~~  
12 *Southeast* Los Angeles County through a multiagency collaborative  
13 effort focused on addressing ongoing commercial vehicle  
14 enforcement issues and to recognize the potential benefits from  
15 emerging technologies. The activities of the ~~council~~ *task force* are  
16 intended to contribute to maintaining the state's strategic advantage

1 through improved decisionmaking and prudent and adequate  
2 investment.

3 (b) The ~~committee~~ *task force* shall report annually on or before  
4 December 31 of each year to the Governor, the Business,  
5 Transportation and Housing Agency, and the Assembly Committee  
6 on Transportation and the Senate Committee on Transportation  
7 and Housing on the progress made ~~towards~~ *toward* implementation  
8 of the recommendations developed to improve the commercial  
9 vehicle enforcement in ~~South East~~ *Southeast* Los Angeles County  
10 pursuant to the objectives set forth in subdivision (f).

11 (c) The ~~committee~~ *task force* shall consist of ~~three~~ *four* members.  
12 The Secretary of Business, Transportation and Housing shall  
13 appoint one member each from nominations provided by the  
14 Gateway Cities Council of Governments (COG), the Director of  
15 Transportation (Caltrans), *the Los Angeles County Metropolitan*  
16 *Transportation Authority*, and the Commissioner of the California  
17 Highway Patrol (CHP). The Secretary of Business, Transportation  
18 and Housing shall designate a chair and vice chair.

19 (d) Members of the ~~committee~~ *task force* shall serve without  
20 compensation, and no state funds may be used to compensate the  
21 members for expenses incurred in the performance of their official  
22 duties.

23 (e) The ~~committee~~ *task force* shall be responsible for  
24 development of a work program and coordinating efforts of the  
25 participating agencies in implementation efforts. The ~~committee~~  
26 *task force* shall from time to time consult stakeholders affected by  
27 the work plans as they are developed. The stakeholders should  
28 include, at a minimum, representatives from trucking organizations,  
29 labor organizations, businesses engaged in commercial vehicle  
30 operations, and the San Pedro Bay Ports.

31 (f) The ~~committee~~ *task force* shall consider the following  
32 activities, which address areas to be emphasized, including, but  
33 not be limited to, major policy issues related to commercial vehicle  
34 enforcement:

35 (1) Evaluate the current commercial vehicle fine structure and  
36 the relative distribution of the resulting revenues.

37 (2) Evaluate the potential to standardize fine structure and  
38 process.

1 (3) Make recommendations as to whether it is desirable to relate  
2 the level of fines to the level of damage to infrastructure and the  
3 risk of harm to people.

4 (4) Review current statutory authority for rerouting vehicles.

5 (5) Review role of transponders or other technology devices in  
6 relation to registration of commercial vehicles.

7 (6) Review Weigh-in-Motion (WIM) devices as a legal  
8 enforcement tool.

9 (7) Review Vehicle Dimension-in-Motion (VDIM) devices as  
10 a legal enforcement tool.

11 (8) Review Automated Vehicle Identification (AVI) devices as  
12 a legal enforcement tool.

13 (9) Review Automated Driver Identification (ADI) devices as  
14 a legal enforcement tool.

15 (10) Review Automated Load Identification (ALI) devices as  
16 a legal enforcement tool.

17 (11) Evaluate the siting of truck enforcement facilities in ~~South~~  
18 ~~East Southeast~~ Los Angeles County.

19 (12) Evaluate the advantages and disadvantages in the  
20 development of automated systems for truck enforcement and  
21 inspection for ~~South East Southeast~~ Los Angeles County.

22 (g) The ~~committee~~ *task force* shall provide a summary of its  
23 recommendations regarding all action items to each member agency  
24 prior to submitting the annual report required pursuant to  
25 subdivision (b).

26 (h) Initial tasks for the ~~steering committee~~ *task force* shall be  
27 the development of a work program that results in the development  
28 of a series of specific targeted actions in conformance with each  
29 of the following four major action steps to address the areas to be  
30 emphasized as specified in subdivision (f):

31 (1) Convening participants.

32 (2) Gathering and analyzing relevant data.

33 (3) Brainstorming of actions.

34 (4) Refinement of actions.

35 (i) The ~~committee~~ *task force* shall not be required to implement  
36 the provisions of this section except to the extent that nonstate  
37 funds are available to the ~~committee~~ *task force* for that purpose.

1     (j) This section shall remain in effect only until January 1, 2012,  
2     and as of that date is repealed, unless a later enacted statute, that  
3     is enacted before January 1, 2012, deletes or extends that date.

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